

Appl. No. 10/505,205
Response to Restriction Requirement dated April 19, 2007
Reply to Office action of March 19, 2007

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April 19, 2007 /Manette Dennis/
Manette Dennis (Reg. No. 30,623)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	10/505,205	Confirmation No.:	5152
First Named Inventor	:	Shigeki Suzuki		
371 (c) Date	:	February 1, 2005		
TC/A.U.	:	1616		
Examiner	:	ALSTRUM-ACEVEDO, James Henry		
Docket No.	:	KPO-NXT-P1/NXT-67/US		
Title	:	DRUG ADMINISTRATION METHOD		

RESPONSE TO RESTRICTION REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Office Action mailed March 19, 2007, the Examiner restricted the claims to be examined to one of the following groups:

- I. claim(s) 1, drawn to a method for administering a finely powdered drug;

- II. claim(s) 2-16 and 18-19, drawn to a method for administering a finely powdered drug; and
- III. claim(s) 17, drawn to a fluidized matrix fine powder.

Applicant elects Group II (claims 2-16 and 18-19) with traverse and without prejudice to re-filing the non-elected claims in a divisional or continuing application. In particular, applicant notes that claim 17 is a dependent claim, not an independent claim as stated in the Office Action dated March 19, 2007. Claim 17 depends on claims 1-16 and can be considered along with claims 2-16 in the furtherance of Patent Office efficiency. Applicant will amend claim 17 to exclude dependency on claim 1 if the restriction requirement against claim 17 is withdrawn and claim 17 is examined along with the claims of Group II.

CONCLUSION

For the foregoing reasons, Applicant requests that the Examiner reconsider and withdraw the restriction requirement as pertains to Group III, claim 17.

Respectfully submitted,

Date: April 19, 2007

/Manette Dennis/
Manette Dennis (Reg. No. 30,623)
Ostrager Chong Flaherty & Broitman, P.C.
570 Lexington Avenue, FL 17
New York, New York 10022-6894
Tel.: 212 681-0600
Fax: 212 681-0300
mdennis@ocfbllaw.com

Customer No. 44702